

REMARKS

Claims 24-51 are pending in the present application.

The Examiner has required restriction between groups 1 – 3 as set forth on page 2 of the Office Action and repeated below.

Group 1, claim(s) 24-30, 36-38 and 44 drawn to a SiC photoluminescent composition.

Group 2, claims(s) 31-35, and 39-43 drawn to a method of making the composition of Group 1.

Group 3, claims 45-51 drawn to an LED comprising the SiC phosphor of Group 1.

Applicants elect Group 3, including Claims 44-51, drawn to an LED comprising the SiC phosphor of Group 1.

Applicants wish to note that Group 3 should also include claim 44 (e.g. Claim 44 is the independent claim from which claim 45 depends). Therefore Applicants have included claim 44 in the Election of Group 3.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael R. Cammarata, Registration No. 39,491 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

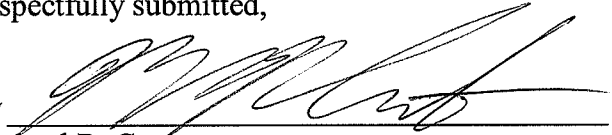
- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: March 24, 2010

Respectfully submitted,

By



Michael R. Cammarata

Registration No.: 39,491

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

703-205-8000